

## Article 11. Landscaping

16-1101 GENERAL CONDITIONS AND PLAN REQUIREMENTS. All plans submitted in support of a Final Development Plan, Building Permit, or Land Use Permit shall hereafter include a landscape plan and include visual screening where appropriate. All land areas which are to be unpaved or not covered by buildings shall be brought to finished grade and planted with turf or native grass or other appropriate ground cover and receive trees as specified in Section 1101.3.

In addition to the minimum number of trees to be planted, as set forth in Section 1101.3, the appropriate number or amount of shrubs, ground cover, and/or turf area plantings that shall be included within each project shall be determined by the design criteria within each project as established by the Community Development Committee as they relate to visual safety, species used, and landscape function.

With the exception of R-1, RP-1, and R-2 Zoning Districts, all plans submitted for approval of a landscape plan shall have the following information included:

1. Name of the developer and firm responsible for preparation, north scale, preparation date and revision dates, space for endorsement by Planning Commission and Governing Body.
2. Topographic information and final grading adequate to identify and properly specify planting for areas needing slope protection.
3. The location, size, and surface of materials of all structures and parking areas.
4. The location, size, and type of all above ground and underground utilities and structures with proper notation, where appropriate, as to any safety hazards to avoid during landscape installation.
5. The location, type, size and quantity of all proposed landscape materials, along with common and botanical names of all plant species. The size, grading and condition shall be specified according to American Association of Nurserymen Standards.
6. The location, size and common name of all existing plant materials to be retained on the site.
7. Mature sizes of plant material shall be drawn to scale and called out on plan by common name or appropriate key.
8. Location of hose connections and other watering sources.
9. The location of all trees, 12 inch caliper or larger measured at 4-1/2 feet above ground level on sites that are proposed for removal.

1101.1 INTENT. The purpose of such landscaping is:

- A. To provide greenery to visually soften paved areas and buildings.
- B. To establish environmental conditions by providing shade, air purification, oxygen regeneration, ground water recharge, storm water runoff retardation, and noise, glare and heat abatement.

- C. To ensure that the local stock of native trees is replenished, plant material shall generally be native or hardy to this region.
- D. To buffer uncomplimentary land uses and generally enhance the quality and appearance over the entire site of the project.

1101.2

DEFINITIONS.

- A. LANDSCAPE MATERIAL. Shall consist of such living material as trees, shrubs, ground cover/vines, turf grasses, and nonliving material such as: rocks, pebbles, sand, bark, brick pavers, earthen mounds (excluding pavement), and/or other items of a decorative or embellishment nature such as: fountains, pools, walls, fencing, sculptured, etc.
- B. LANDSCAPED OPEN SPACE. All land area within the property lines not covered by building or pavement.
- C. TURF GRASS. A species of perennial grass grown as permanent lawns or for landscape purposes as distinguished from those species grown for agricultural or commercial seed purposes.
- D. NATIVE GRASSES. Species of perennial grass other than those designated as noxious weeds by the State of Kansas Department of Agriculture and Entomology.
- E. GROUND COVER. Landscape materials, or living low-growing plants other than turf grass, installed in such a manner so as to form a continuous cover over the ground surface.
- F. SHRUBS. Any self-supporting, woody plant of a species which normally grows to an overall height of less than fifteen (15) feet in this region.
- G. TREES. Any self-supporting, woody plant of a species which normally grows to an overall minimum height of fifteen (15) feet in this region.
- H. PUBLIC STREET SETBACK. That distance of open area between the street right-of-way line and the building setback line.
- I. PRIVATE STREET SETBACK. That distance of open area between the curb line and the building setback line.
- J. DECIDUOUS TREES. Generally those trees which shed their leaves annually, such as Ash, Sycamore, Willow, etc.
- K. EVERGREEN TREES. Generally those trees which do not shed their leaves annually, such as Pine, Spruce, Juniper, etc.
- L. SMALL TREES. Generally thirty feet or less in height at maturity, including ornamental flowering trees and "patio" trees.
- M. MEDIUM TREES. Generally thirty to seventy feet in height at maturity.
- N. LARGE TREES. Generally include those species of trees that reach a height of seventy feet or taller at maturity.

The American Standard for Nursery Stock, as published by the American Association of Nurserymen and incorporated by reference herein, shall be referred to in determining the applicability of the above definitions.

1101.3 MINIMUM TREE REQUIREMENTS PER ZONING DISTRICT.

- A. R-1 or RP-1; R-2 or RP-2 One tree per fifty feet or portion thereof of street frontage, public or private, shall be required within the yard area abutting such frontage. Said trees may be clustered or arranged within the setback and need not be placed evenly at 50-foot intervals.

In addition to the required trees based on street frontage, one site tree shall be required for every dwelling unit. Site trees may be planted anywhere in the yard area.

All yard areas, including adjacent right-of-ways shall be sodded. The Community Development Director or designated department representative may allow utilization of seed when deemed necessary. (Ord. 1938, Sec. 1)

- B. R-3 OR RP-3. One tree per forty (40) feet, or portion thereof, of street frontage, public or private, shall be required within the landscape setback abutting said street frontage. Said trees may be clustered or arranged within the setback and need not be placed evenly at 40-foot intervals.

In addition to the required trees, based upon street frontage, one tree shall also be required for every two dwelling units. These trees may include the trees required in parking lots, as set out in Section 1101.5.

- C. R-4 OR RP-4. One tree per fifty feet, or portion thereof, of street frontage, public or private, shall be required within the landscape setback abutting said street frontage. Said trees may be clustered or arranged evenly at 50-foot intervals.

In addition to the required trees, based upon street frontage, one tree shall be required per dwelling unit. These trees may include the trees required in parking lots, as set out in Section 1101.5.

- D. R-5 OR RP-5. One tree per forty (40) feet, or portion thereof, of street frontage, public or private, shall be required within the landscape setback abutting said street frontage. Said trees may be clustered or arranged within the setback and need not be placed evenly at 40-foot intervals.

In addition to the required trees, based upon street frontage, one tree shall be required per two dwelling units. These trees may include the trees required in parking lots, as set out in Section 1101.5.

- E. C-O & CO-A OR CP-O & CPO-A. One tree for every fifty (50) feet, or portion thereof, of street frontage, public or private, shall be required within the landscape setback abutting said street

frontage. Said trees may be clustered or arranged within the setback and need not be placed evenly at 50-foot intervals.

In addition to the required trees, based upon street frontage, one tree shall also be required for every 3,000 square feet of landscape open space. These trees may include the trees required in parking lots, as set out in Section 1101.5.

- F. C-1, C-2 & C-3 OR CP-1, CP-2 & CP-3. One tree for every forty feet, or portion thereof, of street frontage, public or private, shall be required within the landscape setback abutting said street frontage. Said trees may be clustered or arranged within the setback and need not be placed evenly at 40-foot intervals.

In addition to the required trees, based upon street frontage, one tree shall also be required for every 3,000 square feet of landscaped open space. These may include the trees required in parking lots, as set out in Section 1101.5.

- G. M-1 and M-2 OR MP-1 and MP-2. One tree for every forty feet (or portion thereof) of street frontage, public or private, shall be required within the landscape setback abutting said street frontage. Said trees may be clustered or arranged within the setback and need not be placed evenly at 40-foot intervals.

In addition to the required trees, based upon street frontage, one tree shall be required for every 4,000 square feet of landscaped open space. These trees may include trees required in parking lots, as set out in Section 1101.5.

Supplementary to the minimum number of trees required, as outlined in this Section, existing trees saved on the site during construction may be credited toward the minimum number, as specified for each zoning category. Those existing trees shall be a minimum of four inch caliper as measured 4-1/2 feet above the ground for medium and large deciduous species. Minimum size for ornamental and evergreen species shall be three feet in height. All existing plant material saved shall be healthy and free of mechanical injury.

1101.4 PLANTING REQUIREMENTS. The minimum planting sizes for all plant material shall be the following:

- A. MEDIUM AND LARGE DECIDUOUS SHADE TREES. Two inch caliper, as measured six inches above the ground as specified by the American Association of Nurserymen.
- B. SMALL DECIDUOUS OR ORNAMENTAL TREES. Four feet in height as specified by the American Association of Nurserymen, with the exception of true dwarf species.
- C. CONIFERS. Five to six feet in height.
- D. UPRIGHT EVERGREEN TREES. Four feet in height as specified by the American Association of Nurserymen, except for the true dwarf varieties.
- E. SHRUBS (DECIDUOUS AND CONIFER INCLUDING SPREADER AND GLOBE TREE FORMS). Size optional as determined by applicant.

- F. GROUND COVER PLANTS. Crowns, plugs, containers - in a number as appropriate by species to provide 50 percent surface coverage after two growing season.
- G. TURF AND NATIVE GRASS. Seeding as appropriate to provide complete coverage within the first growing season.
- H. SOD. As necessary to provide coverage and soil stabilization.

#### 1101.5

PLANTING REQUIREMENTS WITHIN PARKING AND VEHICULAR-USE AREAS. The intent of this section is to encourage interior landscaping within vehicular parking areas, to break up the large expanses of pavement, and to provide relief from the reflected glare and heat, as well as to guide vehicular and pedestrian traffic.

Except in Districts R-1, RP-1 and R-2, automobile storage lots, multiple level parking structures and parking lots having a paved area no wider than a double-loaded aisle or more than 65 feet in width, all parking areas in all zoning districts shall include the following as minimum requirement.

- A. Not less than 6 percent of the interior of a parking lot shall be landscaped. The interior of a parking lot shall be calculated by multiplying the number of parking spaces 280 square feet. Planting which is required along the perimeter of a parking lot shall not be considered as part of the interior landscaping requirement.
- B. The landscaping and planting areas shall be reasonably dispersed throughout the parking lots.
- C. The interior dimensions of any planting area or planting median shall be sufficient to protect the landscaping materials planted therein and to insure proper growth. Each area shall be protected by portland cement concrete vertical curbs, or similar structures.
- D. The primary landscaping materials used in parking lots shall be trees which provide shade or are capable of providing shade at maturity. Shrubbery, hedges and other planting material may be used to compliment the tree landscaping, but shall not be the sole contribution to the landscaping. Effective use of earth berms and existing topography is also encouraged as a component of the landscaping plan.
- E. In those instances where plant material exists on a parking lot site prior to its development, such landscape material may be used if approved as meeting the requirements in Section 1101.4.
- F. No landscaping, tree, shrub, fence, wall or similar item shall be placed in zones of ingress or egress at street corners, or in the intersection of a public right-of-way that the Engineer of the City of Gardner or his/her designee determines is an obstruction to visibility, extends into sight lines, or is a traffic hazard.

#### 1101.6

LANDSCAPING IN PLACE PRIOR TO OCCUPANCY PERMIT. All landscape material, living and nonliving, shall be in place prior to issuance of a final Certificate of Occupancy.

All plant material shall be healthy and in place prior to issuance of final Certificate of Occupancy. A temporary certificate may be issued without the installation, provided written assurances are given that the planting will take place when the proper season arrives.

- 1101.7 MAINTENANCE. The trees, shrubs and other landscaping materials depicted on plans approved by the City shall be considered as elements of the project in the same manner as parking, building materials and other details are elements of the plan.

The developer, his/her successor and/or subsequent owners and their agents shall be responsible for the continued maintenance.

Plant material which exhibits evidence of insect pests, disease, and/or damage shall be appropriately treated, and dead plants promptly removed and replaced within the next planting season.

All landscaping will be subject to periodic inspection by the City's Zoning Officer or his/her designee.

Should landscaping not be installed, maintained and replaced as needed to comply with the approved plan, the owner and his/her agent or agents shall be considered in violation of the terms of the Building or Occupancy Permit. The Codes Administrator or his/her designee is empowered to enforce the terms of this Ordinance.

- 1101.8 SCREENING REQUIREMENTS. All multifamily residential projects and all commercial, office and industrial projects shall include, on the landscape plan, a detailed drawing of enclosure and screening methods to be used in connection with trash bins on the property. No trash bin shall be visible from off the property, and a permanent masonry or frame enclosure shall be provided each such bin.

Likewise all ground mounted mechanical equipment, utilities, and banks of meters shall be screened from view off the property. The screening of ground mounted mechanical equipment, utilities, and banks of meters shall be architecturally compatible with the project's major building components and may include landscaping.

All buildings or additions thereto in Districts C-O through M-2 inclusive shall provide a solid screen fence or wall not less than six feet in height along all rear and side property lines which are common to property zoned for residential purposes, except that such screening shall not extend in front of the building line or adjacent dwellings and shall not be required where such screening exists on the abutting residential property.